

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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**LUIS NIEVES,**

**Plaintiff,**

**05-CV-00017S(Sr)**

**v.**

**FRANCES GONZALEZ, et al.,**

**Defendants.**

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**DECISION AND ORDER**

Pursuant to 28 U.S.C. § 636(c), the parties have consented to the assignment of this case to the undersigned to conduct all proceedings in this case, including the entry of final judgment. Dkt. #72.

Currently before the Court is defendants' motion for permission to take the depositions of non-party witnesses Maya Jones Nieves and William Branshaw and for an extension of the Case Management Order. Dkt. #73. In support of the motion, counsel for defendants declares that it is necessary to depose Maya Jones Nieves, who resides in Brooklyn, because plaintiff alleges that she was threatened as a result of defendants' actions. Dkt. #74, ¶ 7. Counsel declares that it necessary to depose William Bradshaw, who is currently incarcerated at the Clinton Correctional Facility, because plaintiff alleges that he worked with the defendants to deprive plaintiff of his civil rights. Dkt. #74, ¶ 11. Because plaintiff is incarcerated at the Walkill Correctional Facility, counsel requests that plaintiff's attendance at the depositions be waived or, in the alternative, be permitted by telephone. Dkt. #74, ¶ 21.

In accordance with Fed. R. Civ. P. 30(a)(2)(B), the Court grants defendants leave to depose William Bradshaw as a non-party witness in this action. Defendants may seek the deposition of Maya Jones Nieves in accordance with Fed. R. Civ. P. 45. The Assistant Attorney General shall make arrangements for plaintiff to appear and participate in such depositions by telephone.

The deadline for completion of discovery in this action is extended to **June 20, 2008.**

Dispositive motions by all parties shall be filed and served no later than **August 22, 2008.** See generally Local Rule 7.1(c); 56.

**SO ORDERED.**

DATED: Buffalo, New York  
March 18 , 2008

\s\ H. Kenneth Schroeder, Jr.  
**H. KENNETH SCHROEDER, JR.**  
**United States Magistrate Judge**